

# **Citizen's Police Review Board**

**06/06/2005**

## **MINUTES**

Board Members Present:

Minister William C. Muhammad,  
Ann Craig, Dardinella Hippchen,  
David Burlingame, Juana Santos,  
Adelia Winchel, Sonya Hernandez,  
Brett Sova

Board Members Absent:

John C. Barrett, (Excused)

Staff Present:

Denny Powers, Staff Liaison

Chairperson Minister William C. Muhammad called the meeting to order at 6:36 p.m.

Minister Muhammad asked if everyone had a chance to read the previous meeting minutes and if there were any corrections or additions.

It was motioned to approve the previous meeting minutes as presented. The motion was supported and passed by unanimous consent of those present.

## **Old Business**

Chairperson, Minister William C. Muhammad stated that the board had previously tabled the discussion on appeal hearing guidelines such that more of the members could be present and that tonight is the night to discuss this issue.

Minister Muhammad stated that this issue was brought to the board's attention by Ms. Sonya Hernandez and asked if she would like to state her concern.

Ms. Sonya Hernandez stated that her original question was whether or not there were any procedures in place on how the board goes about questioning complainants without making them feel that they are on trial. She stated that the main thing she wanted to do was to bring this issue to the board's attention.

Mr. David Burlingame stated that the board needed to be cautious in setting up such guidelines as the board would be bracketing itself into something and cannot possibly foresee every given circumstance in the future and once you have the guidelines you have them. Even though there may be a situation in the future where the board did not intend for the guidelines to apply to, they may be called to do so. Mr. Burlingame stated that we might find that constant changes may be called for because of that and they would always be after the fact. He stated that if the board does as it is doing now and uses common sense and discusses these issues there should be no need for written guidelines.

Ms. Ann Craig stated that we had discussed that the chair would step in and reel things back if it appears the board is attacking someone personally rather than dealing with the facts of the case and that would be fine.

Ms. Hernandez stated that she just wanted to bring this issue to the forefront and if the chair or co-chair will step in if things get out of hand that would be appropriate.

Ms. Juana Santos stated that she agrees that this would be the appropriate thing.

Mr. Brett Sova stated that he would like to ask the questions that he feels needs to be asked as they relate to the case and if the board did have some written guidelines as far as how appeals are carried out that it be something as simple as treating everyone with dignity.

Ms. Dardinella Hippchen asked what happens if the chair does not step in.

Minister Muhammad stated that any of the board members could point out to the chair that things are getting off track and need to be refocused.

Ms. Hippchen stated that if the board is to have the ability to pass judgment on the actions of the officers it should also be able to do the same on the citizens as well.

Ms. Hernandez stated that it is her understanding that the boards function is to hear appeals of complaints against officers, not to put the complainants on trial.

Mr. Powers stated that officers may also appeal the finding of the internal affairs investigation to the board if they are not satisfied with the outcome however that has not happened to date.

Ms. Hippchen stated that she was offended at one point in the past when Ms. Hernandez made a statement about how can we believe the Chief of Police actually disciplines someone when the board does not get information on the discipline. Ms. Hippchen stated that she felt that was inappropriate to share that personal opinion especially in the mixed company that was present that evening.

Chairperson William Muhammad stated that he needed to get things redirected to the topic at hand, which is how the board treats people. He stated that he has talked to some of the original members about our discussions and he believes the board has already become sensitized to this issue through our discussions. He stated that there may be a complainant before us that we may not like personally but we need to keep that away from the complaint and stick with the actual nature of the complaint.

Mr. Burlingame stated that he has been involved in a lot of like situations in the past and that the composition of this board in terms of maturity is the best he has seen and we may be making a mountain out of a molehill. He stated that there have been isolated incidents and that the board recognized those times when they occurred and talked about them afterwards.

Ms. Hippchen stated that no one is perfect.

Minister Muhammad stated that many other boards do not deal with quite so emotional situations as the CPRB does. He stated that by the board having these discussions we will hopefully all be sensitized to these issues.

Mr. Sova stated that it is emotional on both sides. He stated that speaking from an officers perspective, he is sure that officers are emotional and worried when they know that a board is reviewing their actions. He stated that he understands that their union requests them to not be present at the hearings and it must be emotional for them to not know what is going on until afterwards.

Minister Muhammad stated that by far the majority of complaints that the board deals with have to do with how people are talked to. He stated that he believes there has been a lot of improvement in how officers deal with citizenry. He stated that hopefully we can move forward having been sensitized to these issues.

Ms. Hippchen stated that when you have a group that changes and dynamics change, people need to get to know one another. Ms. Hippchen stated to Ms. Hernandez that she

is not the type of person who holds grudges but that she is a very overt person. She will let everyone know what is on her mind. She states that she is not right all the time, but she stated that she would make the same call again on the one case in question as she said what she felt from her heart. She stated that she hopes Ms. Hernandez does not take offense to her comments but that she just states what she feels and does not hold and grudges.

Ms. Hernandez stated that she did not have any hard feelings over the comments that Ms. Hippchen made earlier.

### **MOTION:**

Ms. Sonya Hernandez moved that the Chair and Co-Chair be charged with keeping the hearings focused on the case at hand and pull things back on track when necessary. The motion was supported by Ms. Ann Craig and passed by unanimous consent of those present.

There was a discussion on the topic of the seat currently held by Ms. Hernandez as the minority coalition representative for the Urban League. Mr. Powers stated that at this point the City Manager is of the opinion that since Ms. Hernandez was rightfully appointed to her seat while the local Urban League was still in operation that she should be allowed to complete the remainder of her term. Mr. Powers stated that hopefully at that time the Urban League will have re-organized and be re-opened and if not that issue would have to be looked at.

Mr. Powers stated that he has had conversations with both Minister Muhammad and Ms. Sonya Hernandez about what procedure would be used if the Local Urban League does not re-open and we are down to three of the five original groups recognized to fill the three minority coalition seats and if a group wished to be added to that list. Mr. Powers stated that he believes since this was a signed document between the city commission and the minority coalition that those original groups would have to get back together and vote to open this back up for any amendments. He stated that he did not believe the city could unilaterally just add groups to this list which is part of a signed agreement. Mr. Powers stated that hopefully the Urban League will find a way to reorganize.

### **New Business**

Due to the regular July meeting date falling on the 4<sup>th</sup> of July, it was motioned, supported and passed by unanimous consent to cancel the July meeting in the absence of a hearing or other urgent issue.

### **Public Participation**

It was motioned, supported and passed by unanimous consent to adjourn the meeting.

The meeting was adjourned at 7:17 p.m.

**The next meeting is August 1, 2005 at 6:30 p.m.** in room 103 of Muskegon City Hall.

Respectfully submitted,

*Denny Powers*

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Denny Powers, Staff Liaison to the CPRB